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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

15 KIMBERLEY MAIN and EYAD AKEL,
16 individuals, on behalf of themselves and all others
similarly situated,

17 Plaintiffs,
18 vs.

19 WAL-MART STORES, INC., a Delaware
20 corporation; and DOES 1 through 50, inclusive,

21 Defendants.

No.: 3:11-cv-01919-JSW

Consolidated Cases:

Landeros, Case No. 11-CV-2659-JSW
Nelson, Case No. 11-CV-2001-JSW
Grikavicius, Case No. 11-CV-2893-JSW

Related Case:

Heon, Case No. 12-CV-1681 JSW

23 **STIPULATION AND [PROPOSED]
24 ORDER TO CONTINUE DEADLINE FOR
25 PLAINTIFFS TO FILE UNOPPOSED
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

26 Hon. Jeffrey S. White
27

STIPULATION

Plaintiffs Kimberley Main, Robin Nelson, Marylynn Grikavicius, Lourdes R. Landeros and Tiffany Heon (“Plaintiffs”) and Defendant Wal-Mart Stores, Inc. (“Wal-Mart” or “Defendant”) (collectively, the “Parties”) hereby enter into this stipulation to continue the deadline for Plaintiffs to file an unopposed motion for preliminary approval of class action settlement (“Motion” or “Motion for Preliminary Approval”). Specifically, the Parties stipulate to continue the deadline for Plaintiffs to file their Motion from November 2, 2012 to November 9, 2012, subject to Court approval.

RECITALS

WHEREAS, on April 16, 2012, the Parties participated in a mediation before the Hon. Edward A. Infante (Ret.) at the JAMS Judicial Arbitration, Mediation, and ADR Services offices located in San Francisco, California, at which the Parties reached an agreement in principle on the material terms of a possible settlement, which would be subject to review and final approval by Defendant's management;

WHEREAS, the Parties reached a final agreement on the terms of the settlement, agreed to settle this Action, and have been in the process of preparing a formal settlement agreement, notice documents, and a claim form;

WHEREAS, on September 13, 2012, the Court scheduled the hearing on Plaintiffs' Motion for November 16, 2012 at 9:00 a.m. and ordered that the Motion be filed on or before October 12, 2012;

WHEREAS, on October 10, 2012, the Parties filed a stipulation to shorten the time for Plaintiffs to file their Motion from 35 days to 21 days before the hearing, such that the Motion would be filed by October 26, 2012, for hearing on November 16, 2012, subject to Court approval;

WHEREAS, on October 12, 2012, the Court entered an order continuing the deadline for Plaintiffs to file their Motion to October 26, 2012 and scheduling the hearing on the Motion for December 7, 2012;

WHEREAS, on October 26, 2012, the Parties filed a stipulation to continue the deadline for Plaintiffs to file their Motion to November 2, 2012, to allow the Parties additional time to resolve one final issue regarding the settlement agreement:

1 **WHEREAS**, on October 26, 2012, the Court entered an order continuing the deadline for
 2 Plaintiffs to file their Motion to November 2, 2012 and continuing the hearing on the Motion to
 3 January 25, 2013;

4 **WHEREAS**, since the Court's October 26, 2012 order, the Parties have agreed on settlement
 5 terms, the form of the settlement agreement has been approved by the Parties, and the settlement
 6 agreement is being circulated for execution;

7 **WHEREAS**, the Parties request a final one-week extension to allow Plaintiffs to finalize the
 8 Motion and to allow Wal-Mart time to review the Motion prior to filing.

9 **NOW, THEREFORE**, Plaintiffs and Defendant hereby stipulate and jointly request that the
 10 Court continue the deadline for Plaintiffs to file their Motion from November 2, 2012 to November
 11 9, 2012.

12 **IT IS SO STIPULATED**

15 DATED: November 2, 2012

REED SMITH LLP

17 By: /s/ Scott H. Jacobs

Scott H. Jacobs
 Brandon W. Corbridge
 Attorneys for Defendant
 WAL-MART STORES, INC.

21 DATED: November 2, 2012

STONEBARGER LAW, P.C.

23 By: /s/ Gene J. Stonebarger

Gene J. Stonebarger
 Richard D. Lambert
 Co-Lead Plaintiffs' Counsel

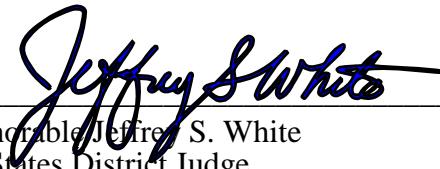
1 [PROPOSED] ORDER
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4 PURSUANT TO THE ABOVE STIPULATION, IT IS ORDERED that:
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- 7 1. The deadline for Plaintiffs to file their unopposed Motion for Preliminary Approval of
8 Class Action Settlement is continued to November 9, 2012.
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10 2. The hearing on Plaintiffs' unopposed Motion for Preliminary Approval of Class
11 Action Settlement shall remain on calendar for January 25, 2013.

12 Dated: November 2, 2012

13 By: _____
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16 The Honorable Jeffrey S. White
17 United States District Judge
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